

Cg 02-278

THE INFORM AMERICA FOUNDATION

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LAS VEGAS, NEVADA 89109

July 7, 2003

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re Proposed Fundraising Drive

Dear FCC,

I am the Executive Director of the Inform America Foundation, a newly formed non profit organization that provides efficient communications services that benefit missing, sick, or endangered children, the organizations that serve them, and other non-profit organizations.

The reason for this letter is to obtain your opinion on whether our proposed fundraising drive, as hereinafter described, would in any way violate the Telephone Consumer Protection Act of 1991. We are considering commencing a telephonic fundraising drive, in which we will offer the call recipient a free or deeply discounted product or service (the "Incentive") which is being provided by a third-party corporate sponsor. We will have no previous relationship with those that we are contacting. Those that are interested in receiving the Incentive will be asked to make a small donation to our organization, and will then referred to our corporate sponsor to receive the Incentive. The corporate sponsor will also donate a portion of all proceeds to our organization.

It is our understanding that the T C P A., and the rules promulgated by the F.C.C. in enforcement thereof, provides an exemption for calls made by or on the behalf of tax-exempt non profit organizations. In the scenario previously described, our organization is doing the dialing, and we are making the calls our behalf, as we derive a direct benefit from making the call. Although we will request that call recipients make a donation to our organization, no such donation is required for the recipient to receive the Incentive. If the recipient is interested in receiving the Incentive, they will be referred to our corporate sponsor, which would then provide the Incentive.

We would appreciate your insight as to whether unsolicited calls made in connection with this fundraising drive would in any way violate the T.C.P.A., and if so, what changes we need to make to the campaign to ensure compliance.

Thank you for considering this matter, and we look forward to receiving your response.

Yours truly,

THE INFORM AMERICA FOUNDATION



Seth D. Heyman
Executive Director

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